

REMARKS

In regard to Page 2 of the office action and Priority, enclosed is a Certified Copy of GB0330100.9.

In regard to the drawing objection on Page 2 of the office action, applicant's attorney is obtaining clearer drawings which should be filed shortly. Please note that Fig. 1a shows a folder cover and Fig. 1b shows a cover before folding.

Claims 1-2, 6-11, 13-16, 20-23 and 31 were rejected under 35 USC 103(a) as being unpatentable over Jensfelt (US 6,330,430 B1) in view of Philips et al (US 5,839,058). Claims 17-19 and 27-28 were rejected under 35 USC 103(a) as being unpatentable over Jensfelt (US 6,330,430 B1) in view of Philips et al (US 5,839,058) and Buessler et al. (US 2003/0036362 A1). Claim 29 was rejected under 35 USC 103(a) as being unpatentable over Jensfelt (US 6,330,430 B1) in view of Philips et al (US 5,839,058), Buessler et al. (US 2003/0036362 A1), and Latta et al (US 2003/0134613 A1). Claims 30 and 32 were rejected under 35 USC 103(a) as being unpatentable over Jensfelt (US 6,330,430 B1) in view of Philips et al (US 5,839,058), Buessler et al. (US 2003/0036362 A1), and Kim et al. (US 2002/0104769 A1). The examiner is requested to reconsider these rejections.

Claim 1 has been amended to recite "*were the sheet not held in the folded configuration by attachment to the electronic device via the first portion and the third portion.*". Support for this amendment can be found at e.g. [0036] - [0038] and the figures of the published specification. Similar

amendments have been made to claim 31. We have also shortened the preamble of claim 1.

Claim 31 has been amended to recite "*A method of at least partially covering an electronic device by any one of a plurality of user-replaceable sheets...*". Support for this amendment can be found at e.g. [0048] of the published specification.

Claim 23 has been removed and new independent system claim 34 added. Support for new claim 34 can be found at e.g. claims 23 and 1 and the figures of the application. Dependent claims 29 and 30 have been amended in line.

New dependent claim 33 has also been added. Support for new dependent claim 33 can be found at e.g. [0048] of the published specification. Dependent claims 6 and 7 have been combined and claim 7 removed accordingly.

Embodiments of the invention relate to an electronic device cover formed from a sheet of material dimensioned to at least partially cover an electronic device. In embodiments of the invention the sheet is configured to have a substantially flat configuration and a folded configuration and be bendable into the folded configuration to cover the electronic device (abstract of specification).

According to embodiments of the invention the cover may comprise one or more predetermined crease/fold lines to allow the cover to be easily bent into shape along pre-determined lines ([0041] of the specification).

In addition, the cover may be configured for user attachment to and user detachment from the electronic device (figs 1a and 1b and [0038] of the published specification). In embodiments of the invention the cover may be adapted for a specific function of the device. The cover may, for example, indicate the functions performed by specific keys of the device when the device is performing a particular function, for example, running a game. In embodiments of the invention the cover currently attached to the device can be detached from the device and replaced by a different cover that is adapted for the current function of the device ([0048] of the published specification).

In the Office Action the Examiner has rejected all the independent claims (claims 1, 23 and 31) under 35 USC 103(a) as being unpatentable over US6330430 (Jensfelt) in view of US5839058 (Philips).

Jensfelt discloses a flexible sheet that has a plurality of fasteners which can be fastened together to form an open-cornered enclosure for a mobile terminal, such as a wireless phone. A mid-portion of the flexible sheet has a selectively adjustable length whereby the case can be made larger or smaller to accommodate a variety of differently-sized instruments (abstract of Jensfelt).

In Jensfelt at least one of the plurality of fasteners is arranged to fasten to another one of the fasteners whereby the sheet of flexible material is formed to enclose at least a portion of the mobile terminal (column 1, lines 41 - 44 of

Jensfelt). That is, in Jensfelt the sheet is folded and fastens to itself to enclose the mobile terminal.

Philips discloses a recyclable cellular telephone having an inner rigid cellular electronics supporting frame member surrounded by a replaceable outer cover. According to Philips the telephone is acquired having a limited period of use. The electronics of the telephone operate to disable the telephone following expiration of the period of use. Following expiration of the period of use, the telephone is returned for refurbishment where the outer cover is stripped and replaced and the electronics tested before being recycled with a new period of use for another acquisition (abstract of Philips).

In Philips the replaceable outer cover is disposable. The outer cover is folded around fold lines to wrap around and substantially enclose the frame member. In Philips the outer cover is attached to itself by bonding means and is not attached to the frame (col. 5, lines 35 - 61, col. 6, lines 6 - 41 and Fig. 1 of Philips).

It is respectfully submitted that Jensfelt does not disclose at least *"the sheet being configured such that when folded along the one or more predetermined fold lines the sheet wants to return to the flat configuration were the sheet not held in the folded configuration by attachment to the electronic device via the first portion and the third portion."* as recited in claim 1.

The Examiner has alleged that this feature (before the amendment to claim 1) is disclosed by figure 4 of Jensfelt. It is respectfully submitted that figure 4 of Jensfelt simply

shows that the case disclosed by Jensfelt has a flat, unfolded position. There is absolutely no teaching or suggestion in Jensfelt that the case of Jensfelt wants to return to the flat configuration were the sheet not held in the folded configuration by attachment to the electronic device via the first portion and the third portion.

In the previous Final Office Action, dated 30 November 2009, the Examiner stated, with regard to claim 1 as it stood at that point, that "Jensfelt does not explicitly disclose that the sheet being configured such that the sheet wants to return to the flat configuration were the sheet not held in the folded configuration." (see point 1 of the Final Office Action dated 30 November 2009). The Examiner then introduced, in the Final Office Action, US6229697 (Selker) with regard to this feature. Thus, it appears that the Examiner has previously acknowledged that there is no disclosure of the above feature in Jensfelt.

Selker is not cited in the currently outstanding Office Action and it is respectfully submitted that there is no teaching or suggestion of "the sheet being configured such that when folded along the one or more predetermined fold lines the sheet wants to return to the flat configuration were the sheet not held in the folded configuration by attachment to the electronic device via the first portion and the third portion." in Philips. Philips has not been cited with regard to this feature.

Furthermore, claim 1 now recites "...the sheet wants to return to the flat configuration were the sheet not held in the

folded configuration by attachment to the electronic device via the first portion and the third portion..". As discussed above, in both Jensfelt and Philips the covers attach to themselves and are therefore clearly not held in the folded configuration by attachment to the electronic device as recited in claim 1. The covers disclosed in both Jensfelt and Philips would remain in the folded position whether the device was present or not.

As discussed above, there is no teaching or suggestion of this feature in Jensfelt or Philips. Both Jensfelt and Philips clearly teach that the covers disclosed therein should attach to themselves and not to the device (see col. 2, lines 42 - 48 of Jensfelt and col. 5, lines 54 - 61 of Philips). It is therefore respectfully submitted that it would be in direct contradiction to the teaching of Jensfelt and Philips to modify these documents to obtain this feature. Such an amendment would change the principle of operation of Jensfelt and Philips.

It is also respectfully submitted that neither Jensfelt nor Philips disclose, at least:

"a first portion configured for user attachment to and user detachment from a front portion of an electronic device;...

...a third portion, adjacent to the second portion, configured for user attachment to and user detachment from a back portion of the device..." as recited in claim 1.

As discussed above, both Jensfelt and Philips specifically disclose that the covers disclosed therein should not attach

to the device but should attach to themselves. There is no teaching or suggestion in these documents that the covers should attach to the device and as discussed above it is respectfully submitted that it would be directly against the teaching of Jensfelt and Philips to modify their teaching to obtain this feature. Furthermore, the cover disclosed in Philips is not user replaceable. Again, such an amendment would change the principle of operation of Jensfelt and Philips.

For the above reasons at least it is respectfully submitted that claim 1 is novel and non-obvious over the cited prior art. The above arguments also apply equally to independent claims 31 and 34.

In addition, system claim 34 exemplifies further the difference between the cited prior art and embodiments of the invention. Claim 34 recites

*"A system comprising: An electronic device configured to receive a user-replaceable cover; and
a user-replaceable cover..."*

Claim 34 further recites *"wherein the electronic device comprises a first holding arrangement at a front portion of the device configured to attach to a first portion of a user-replaceable cover and a second holding arrangement at a back portion of the device configured to attach to a third portion of a user-replaceable cover and the device configured to hold by said attachment the user-replaceable cover in a folded configuration; ..."* and *"...the sheet wants to return to the flat*

configuration were the sheet not held in the folded configuration by attachment to the electronic device via the first and second holding arrangements of the electronic device and the first portion and the third portion of the user-replaceable cover.."

As discussed above, the covers disclosed in Jensfelt and Philips attach to themselves and are not held in the folded configuration by attachment to holding arrangements of the electronic device.

Arguments have been made in relation to all pending independent claims. As the independent claims are novel and non-obvious, the claims that depend from them are also novel and non-obvious. Separate explicit argument concerning the patentability rejections raised against the dependent claims is not required, however we would like to make explicit arguments for the patentability of some of the dependent claims.

Claim 28 recites *"The user-replaceable cover according to claim 1, wherein the user-replaceable cover comprises a user-releasable adhesive to allow the user-replaceable cover to be releasably held to the device as a cover."*. In the Office Action the Examiner has alleged that this feature is disclosed at col. 4, lines 1-14 of Jensfelt.

This section of Jensfelt describes that the fasteners used in Jensfelt can be attached to the case using an adhesive. The fasteners of Jensfelt are arranged at specific positions to allow the case of Jensfelt to attach to itself. The fasteners of Jensfelt are not intended to be movable by a user and are

intended to be firmly fixed, by adhesive or otherwise, to their specific positions. It is therefore respectfully submitted that Jensfelt does not therefore disclose "a user-releasable adhesive" as recited in claim 28.

In addition, if the fasteners of Jensfelt were attached using a user-releasable adhesive then the fasteners would easily be removed and lost, thus preventing the case disclosed in Jensfelt from functioning. Therefore it is respectfully submitted that modifying the adhesive in Jensfelt to be user-releasable would render the cover of Jensfelt unfit for purpose.

New claim 31 recites: *"The method of claim 31 wherein the device is configured to have a plurality of different user-selectable functions and at least some of the plurality of user-replaceable sheets are adapted for the different user-selectable functions of the device, the method further comprising:*


detaching the user-replaceable sheet from the device; and

attaching a second, different user-replaceable sheet to the device, wherein the second user-replaceable sheet is adapted for use with a currently selected function of the device."

It is respectfully submitted that there is no disclosure of this feature in Jensfelt. Jensfelt discloses only a single cover that is not adapted to a function of the device. Philips does disclose that the cover is replaceable, but only with a new version of the old cover. Furthermore the cover disclosed in Philips is not user-replaceable.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issue remain, the examiner is invited to call applicant's attorney at the telephone number indicated below.

Respectfully submitted,


Mark F. Harrington (Reg. No. 31,686)

7/12/10
Date

Customer No.: 29,683
Harrington & Smith,
Attorneys At Law, LLC
4 Research Drive
Shelton, CT 06484-6212
203-925-9400

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail on the date shown below in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

7/12/2010
Date


Name of Person Making Deposit